

FEDERAL ELECTION COMMISSION**11 CFR Parts 100, 104, 105, 109, 110 and 114**

[Notice 1996-3]

Document Filing**AGENCY:** Federal Election Commission.**ACTION:** Final rule; Technical amendments.

SUMMARY: On December 28, 1995, the President signed a bill that amended the Federal Election Campaign Act of 1971 ("FECA" or "Act") to improve the electoral process, *inter alia*, by requiring candidates, and the authorized committees of the candidates, to the United States House of Representatives ("House") to file campaign finance reports with the Federal Election Commission. The Commission today is publishing technical amendments to conform its regulations to the statute.

EFFECTIVE DATE: February 1, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, or Ms. Teresa A. Hennessy, Attorney, 999 E Street, N.W., Washington, D.C. 20463, (202) 219-3690 or (800) 424-9530.

SUPPLEMENTARY INFORMATION: The FECA governs, *inter alia*, the filing of campaign finance reports by candidates for Federal office. 2 U.S.C. 432(g). As amended in 1979, the FECA required that all designations, statements, and reports required to be filed under the Act by a candidate, authorized committee(s) of the candidate, or principal campaign committee of the candidate for the House be filed with the Clerk of the House as custodian for the Commission. The FECA specified that a House candidate includes a candidate for the Office of Representative in, or Delegate or Resident Commissioner to, the Congress. Federal Election Campaign Act Amendments of 1979, Public Law No. 96-187, section 102, 93 Stat. 1339, 1346, codified at 2 U.S.C. § 432(g)(1). At 11 CFR 105.1, the Commission implemented this requirement and provided that all other reports by committees that support only candidates to the House be filed with the Clerk of the House.

On December 28, 1995, Public Law No. 104-79, 109 Stat. 791 (1995) amended the FECA to require that these reports instead be filed with the Federal Election Commission. See Section 3. The new law made no changes to the filing requirements for candidates to the United States Senate. The law became effective with the first reports required

to be filed after December 31, 1995. However, since the law was enacted shortly before this date, under agreement with the Clerk, authorized committees of candidates for the House will file year-end reports for 1995 with the Clerk. The Clerk will date stamp and forward these reports to the Commission. Thereafter, the candidates and committees formerly filing with the Clerk will file all documents required to be filed under FECA with the Commission.

Therefore, the Commission is publishing this Notice to make necessary technical and conforming amendments to its regulations. The Notice amends 11 CFR 105.1 to conform to the statute and includes conforming amendments to several provisions that refer to the regulation: 11 CFR 100.5(e)(3)(i), 104.3(e)(5), 104.4(c)(3), 104.5(f), 104.14(c), 104.15(a), 105.4, 105.5, 109.2(a), 110.6(c)(1) (i) and (ii), and 114.6 (d)(3)(i) and (d)(5). Please note that the sale or use restriction on information in campaign finance reports, set forth at 11 CFR 104.15(a), still would apply to all reports, including those previously filed with the Clerk.

Because the amendments are merely technical, they are exempt from the notice and comment requirements of the Administrative Procedure Act. See 5 U.S.C. 553(b)(B). They are also exempt from the legislative review provisions of the FECA. See 2 U.S.C. § 438(d). These exemptions allow the amendments to be made effective immediately upon publication in the Federal Register. As a result, these amendments are made effective on February 1, 1996.

Certification of No Effect Pursuant to 5 U.S.C. 605(b) (Regulatory Flexibility Act)

I certify that the attached final rule will not have a significant economic impact on a substantial number of small entities. The basis of this certification is that the rule is necessary to conform to the Act and that the rule changes only the location of filing reports. Therefore, no significant economic impact is caused by the final rule.

List of Subjects**11 CFR Part 100**

Elections.

11 CFR Part 104

Campaign funds, Political committees and parties, Reporting and recordkeeping requirements.

11 CFR Part 105

Campaign funds, Political candidates, Political committees and parties,

Reporting and recordkeeping requirements.

11 CFR Part 109

Elections, Reporting and recordkeeping requirements.

11 CFR Part 110

Campaign funds, Political committees and parties.

11 CFR Part 114

Business and industry, Elections, Labor.

For the reasons set out in the preamble, subchapter A, chapter I, title 11 of the Code of Federal Regulations is amended as follows:

PART 100—SCOPE AND DEFINITIONS (2 U.S.C. 431)

1. The authority citation for Part 100 continues to read as follows:

Authority: 2 U.S.C. 431, 438(a)(8).

§ 100.5(e)(3)(i) [Amended]

2. Section 100.5(e)(3)(i) is amended by removing “, Clerk of the House”.

PART 104—REPORTS BY POLITICAL COMMITTEES (2 U.S.C. 434)

3. The authority citation for Part 104 continues to read as follows:

Authority: 2 U.S.C. 431(1), 431(8), 431(9), 432(i), 434, 438(a)(8), 438(b).

§ 104.3(e)(5) [Amended]

4. Section 104.3(e)(5) is amended by removing all references to “Clerk of the House of Representatives,” and by removing the comma after “Secretary of the Senate” in the first and third sentences.

§ 104.4(c)(3) [Amended]

5. Section 104.4(c)(3) is amended by revising all references to “Clerk of the House” to read “Federal Election Commission”.

§ 104.5(f) [Amended]

6. Section 104.5(f) is amended by removing “the Clerk of the House,”.

§ 104.14(c) [Amended]

7. Section 104.14(c) is amended by removing “, the Clerk of the House,”.

§ 104.15(a) [Amended]

8. Section 104.15(a) is amended by revising “with the Commission, Clerk of the House, Secretary of the Senate, or any Secretary of State or other equivalent State officer” to read “under the Act”.

PART 105—DOCUMENT FILING (2 U.S.C. 432(g))

9. The authority citation for Part 105 continues to read as follows:

Authority: 2 U.S.C. 432(g), 438(a)(8).

10. Section 105.1 is revised to read as follows:

§ 105.1 Place of filing; House candidates and their authorized committees (2 U.S.C. 432(g)(1)).

All designations, statements, reports, and notices, as well as any modification(s) or amendment(s) thereto, required to be filed under 11 CFR parts 101, 102, and 104 by a candidate for nomination or election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress, or by his or her authorized committee(s), shall be filed in original form with, and received by, the Federal Election Commission.

§ 105.4 [Amended]

11. Section 105.4 is amended by removing "105.1," and by removing the comma after "105.2".

12. Section 105.5 is revised to read as follows:

§ 105.5 Transmittal of microfilm copies and photocopies of original reports filed with the Secretary of the Senate to the Commission (2 U.S.C. 432(g)(3)).

(a) Either a microfilmed copy or photocopy of all original designations, statements, reports, modifications or amendments required to be filed pursuant to 11 CFR 105.2 shall be transmitted by the Secretary of the Senate to the Commission as soon as possible, but in any case no later than two (2) working days after receiving such designations, statements, reports, modifications, or amendments.

(b) The Secretary of the Senate shall then forward to the Commission a microfilm copy and a photocopy of each designation, statement, and report, or any modification or amendment thereto, filed with the Secretary pursuant to 11 CFR 105.2.

(c) The Secretary of the Senate shall place a time and date stamp on each original designation, statement, report, modification or amendment received.

PART 109—INDEPENDENT EXPENDITURES (2 U.S.C. 431(17), 434(c))

13. The authority citation for Part 109 continues to read as follows:

Authority: 2 U.S.C. 431(17), 434(c), 438(a)(8), 441d.

§ 109.2(a) [Amended]

14. Section 109.2(a) is amended by removing "the Clerk of the House".

PART 110—CONTRIBUTION AND EXPENDITURE LIMITATIONS AND PROHIBITIONS

15. The authority citation for Part 110 continues to read as follows:

Authority: 2 U.S.C. 431(8), 431(9), 432(c)(2), 437d(a)(8), 438(a)(8), 441a, 441b, 441d, 441e, 441f, 441g and 441h.

§ 110.6(c)(1) (i) and (ii) [Amended]

16. Section 110.6 is amended by removing "the Clerk of the House of Representatives," from paragraph (c)(1)(i) and by removing "Clerk" from paragraph (c)(1)(ii).

PART 114—CORPORATE AND LABOR ORGANIZATION ACTIVITY

17. The authority citation for Part 114 continues to read as follows:

Authority: 2 U.S.C. 431(8)(B), 431(9)(B), 432, 437d(a)(8), 438(a)(8), and 441b.

§ 114.6(d)(3)(i) and (d)(5) [Amended]

18. Section 114.6 is amended by removing "the Clerk of the House" from paragraph (d)(3)(i) and by removing "the Clerk of the House," from paragraph (d)(5).

Dated: January 26, 1996.
Lee Ann Elliott,
Chairman, Federal Election Commission.
[FR Doc. 96-1972 Filed 1-31-96; 8:45 am]
BILLING CODE 6715-01-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 95-NM-276-AD; Amendment 39-9496; AD 96-03-01]

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 747 series airplanes. This action requires inspections of the lower engine mount to determine if the tangential link upper bolt and nut are oriented properly, and if the tangential link upper bolt nut is torqued within certain limits. This action also requires replacement of the bolt and nut with serviceable parts, if necessary, and requires certain follow-on actions for airplanes on which the upper bolt is missing. Terminating action is also provided by this AD. This

amendment is prompted by reports of migration of bolts completely from the tangential link of the aft engine mount, a condition which would reduce the capability of the retention system for the engine. The actions specified in this AD are intended to prevent separation of the engine from the airplane due to migration of the tangential link upper bolt.

DATES: Effective February 16, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 16, 1996.

Comments for inclusion in the Rules Docket must be received on or before April 1, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-276-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Tammy L. Dow, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington; telephone (206) 227-2771; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION: Recently, the FAA received reports indicating that the upper bolt and nut of the tangential link of the aft engine on Model 747 airplanes were found to have migrated out of proper position. In three cases, the bolt had completely backed out of the hole. Analysis conducted by the manufacturer demonstrated that the nuts used to secure the bolts may not provide adequate run-on torque. Additionally, there was evidence that lubricants were used on the threads of some of the bolts. These conditions can allow the nut to rotate and disengage from the bolt. With no nut or other retention for the bolt, normal vibration causes the bolt to loosen and migrate out of the tangential link. Loss of the bolt would reduce the capability of the engine retention system, and could result in cracking of the engine turbine exhaust case due to the increased load. This condition, if not corrected, could